

Effective 3/11/2015

JR6-4-101 Review of ethics complaint for compliance with form requirements -- Independent requirements for complaint -- Notice.

- (1) Within five business days after receipt of a complaint, the staff of the Independent Legislative Ethics Commission, in consultation with the chair of the commission, shall examine the complaint to determine if it is in compliance with JR6-2-201 or JR6-3-101.
- (2)
 - (a) If the chair determines that the complaint does not comply with JR6-2-201 or JR6-3-101, the chair shall:
 - (i) return the complaint to the first complainant named on the complaint with:
 - (A) a statement detailing the reason for the non-compliance; and
 - (B) a copy of the applicable legislative rules; and
 - (ii) notify the president of the Senate and the chair and vice-chair of the Senate Ethics Committee, if the legislator named in the complaint is a senator, or the speaker of the House of Representatives and the chair and vice-chair of the House Ethics Committee, if the legislator named in the complaint is a representative, that:
 - (A) a complaint was filed against a member of the Senate or House, respectively, but was returned for non-compliance with legislative rule; and
 - (B) the fact that a complaint was filed and returned shall be kept confidential until the commission submits its annual summary data report as required by JR6-2-104.
 - (b) If a complaint is returned for non-compliance with the requirements of this title, the complainants may file another complaint if the new complaint independently meets the requirements of JR6-3-101, including any requirements for timely filing.
- (3) If the chair determines that the complaint complies with the requirements of this rule, the chair shall:
 - (a) accept the complaint;
 - (b) notify the president of the Senate and the chair and vice-chair of the Senate Ethics Committee, if the legislator named in the complaint is a senator, or the speaker of the House of Representatives and the chair and vice-chair of the House Ethics Committee, if the legislator named in the complaint is a representative:
 - (i) that a complaint has been filed against a member of the Senate or House, respectively;
 - (ii) of the identity of the legislator who is the subject of the complaint and the identity of the person or persons filing the complaint;
 - (iii) of the nature of the allegations contained in the complaint; and
 - (iv) that the fact that a complaint was filed, the nature of the allegations raised in the complaint, and the identity of the legislator and the complainants shall be kept confidential until the commission publicly discloses the existence of the complaint via:
 - (A) a recommendation that an allegation in the complaint be heard by a legislative ethics committee; or
 - (B) submission of the commission's annual summary data report as required by JR6-2-104;
 - (c) notify each member of the Independent Legislative Ethics Commission that the complaint has been filed and accepted and that the existence of and contents of the complaint and the identities of the parties shall be kept confidential; and
 - (d) promptly forward the complaint to the legislator who is the subject of the ethics complaint via personal delivery or a delivery method that provides verification of receipt, together with:
 - (i) notice that the existence of and contents of the complaint, and the identities of the parties, are confidential and should not be publicly disclosed;
 - (ii) a copy of the applicable legislative rules; and

(iii) notice of the legislator's deadline for filing a response to the complaint.